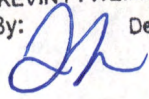


FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta
UNITED STATES DISTRICT COURT
Northern District of Georgia
SEP 27 2023

KEVIN P. WEIMER, Clerk
By:  Deputy Clerk

Eric Adams

Plaintiff,

Civil No.

1:23-CV-4295

v.

Westlake Portfolio Management, LLC

Defendant

This is an action brought by the Plaintiff, Eric Adams seeking damages from the Defendant, Westlake Portfolio Management, LLC for violation of the Fair Debt Collection Practices Act, Telephone Consumer Protection Act, and the unlawful repossession of his vehicle.

JURISDICTION AND VENUE

Jurisdiction of this court arises under 15 USC 1692k(d), 47 USC 227(b)(3), and 28 USC 1331.

PARTIES

1. Plaintiff Eric Adams is a natural person and consumer residing in the state of Georgia.
2. "Consumer" is defined by 15 USC 1681a(c). Natural person is defined in 15 USC 1692a(3).
3. Westlake Portfolio Management is a debt collector as defined in 15 USC 1692a(6).

STATEMENTS AND FACTUAL ALLEGATIONS

33. The Defendant has violated 15 USC 1692d(5) by causing the telephone of the Plaintiff to ring repeatedly with the intent to annoy, abuse, and harass the Plaintiff. See Exhibits D9-D16
34. The Defendant has violated 15 USC 1692e(4) by stating that nonpayment will result in the seizure of the Plaintiff's property. See Exhibits F1-F2.
35. The Defendant has violated 15 USC 1692e(5) for threatening to repossess the Plaintiff's vehicle. See Exhibits F1-F2.
36. The Defendant has violated 15 USC 1692f(1) as there is no agreement between the Plaintiff and the Defendant.
37. The Defendant has violated 15 USC 1692f(6)(A) as there is no agreement between the Plaintiff and the Defendant.
38. The Defendant has violated 15 USC 1692f(6)(C) as there is no agreement between the Plaintiff and the Defendant.

PRAYER FOR RELIEF

- A. Actual damages of \$30,000 for the mental anguish, embarrassment, damage to my reputation, character, and creditworthiness.
- B. Actual damages of \$120.00 for rideshare service to and from the repo yard.
- C. Actual damages of \$621.04 for missing work on the day of 17 August 2023.
- D. Actual damages of \$1722.89 for payment in order to retrieve the vehicle in question from the auction.
- E. Actual damages of \$53.30 for rideshare service to the auction yard to retrieve the vehicle in question.
- F. Actual damages of \$150 to tow the vehicle in question to an automotive repair shop.
- G. Actual damages of \$362.26 for repairs to the vehicle in question.
- H. Actual damages of \$64.40 for rideshare service from the automotive repair shop.
- I. Actual damages of \$31.77 for rideshare service to pick up the vehicle in question.
- J. Statutory damages of \$500.00 for each call determined to be in violation of the TCPA pursuant to 47 U.S.C. § 227(b)(3);
- K. Treble damages for each violation determined to be willful and/or knowing under the TCPA pursuant to 47 U.S.C. § 227(b)(3); and
- L. Statutory damages of \$1000 per violation of 15 USC 1692.
- M. Any and all relief deemed to be proper.

Plaintiff hereby demands trial by jury on all issues so triable as a matter of law.

Eric Adams

Eric Adams, pro se'

18. On or around 30 Jul 2023, the Defendant mailed a letter to the Plaintiff threatening to take legal action that cannot lawfully be taken including but not limited to repossession of the Plaintiff's vehicle. See Exhibits F1-F2
19. On 17 August 2023, the Defendant illegally repossessed the Plaintiff's vehicle causing the Plaintiff to miss work and preventing him from taking his child to school.
20. On or around 20 August 2023 the Defendant mailed a letter to the Plaintiff stating their intentions to sell the Plaintiff's vehicle. See Exhibits G1-G2
21. On 31 Aug 2023 the Plaintiff made a payment of \$1722.89 in order to retrieve the vehicle in question from the auction yard because the Defendant transferred the vehicle from the repossession company to an auction yard before the date listed in entry 19. See Exhibits G1-G2 and Exhibit H.
22. On 07 Sep 2023 the Plaintiff had to miss work in order to retrieve the vehicle in question from the auction yard that it was moved to on 22 August 2023, only to find the vehicle not in the condition it was in prior to the repossession. The vehicle could not start, the driver side fender liner had been torn off, and the main key was missing. The employees at the auction yard proceeded to jump start the vehicle, however the vehicle was rendered immobile without the jump box. The Plaintiff had to call for and wait 2 hours for a wrecker to tow the vehicle to an automotive repair shop. The Plaintiff had to replace the battery, alternator, and alternator fuse in order to make the vehicle drivable again.

VIOLATIONS

23. The Defendant has failed to adhere to the guidelines set forth in the Telephone Consumer Protection Act.
24. Defendant has used an Automatic Dialing System to make non-emergency calls to the Plaintiff without the prior express consent which is a violation of 47 USC 227(b)(1)(B).
25. The Defendant continued to willfully call Plaintiff's Number using an ATDS knowing that it lacked the requisite consent to do so in violation of the TCPA.
26. The Defendant failed to properly validate the alleged debt which is a violation of 15 USC 1692g.
27. The Defendant has violated 15 USC 1692c(c) by failing to cease communications and collection activities.
28. The Defendant has violated 15 USC 1692e(10) by using the Plaintiff's consumer report to collect on an account that they aren't owed.
29. The Defendant has violated 15 USC 1692c(a)(1) by calling the Plaintiff's phone after a Cease and Desist was sent and received. See Exhibits D9-D16
30. The Defendant has violated 15 USC 1692d(1) by threatening to repossess the Plaintiff's vehicle. See Exhibits F1-F2.
31. The Defendant has violated 15 USC 1692d(2) by threatening to repossess the Plaintiff's vehicle. See Exhibits F1-F2.
32. The Defendant has violated 15 USC 1692d(4) by threatening to sell the Plaintiff's vehicle to coerce payment of the alleged debt. See Exhibits G1-G2.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Northern District of Georgia

Eric Adams

Plaintiff(s)

v.

Westlake Portfolio Management, LLC

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* WESTLAKE PORTFOLIO MANAGEMENT, LLC
2985 GORDY PARKWAY, 1ST FLOOR, Marietta, GA, 30006, USA

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

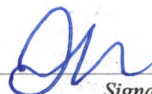
Eric Adams
1650 Anderson Mill Rd. Apt 14204
Austell, GA 30106

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KEVIN P. WEIMER
CLERK OF COURT

Date:

9/22/23



Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Exhibit A1



Westlake
PORTFOLIO MANAGEMENT

Westlake Portfolio Management,
P.O. Box 76809
Los Angeles, CA 90076-0809



Date: 05/24/2023



0010083-0040329 D0105 001 ----- 535139

ERIC ADAMS

1650 ANDERSON MILL ROAD, APT 14204

AUSTELL, GA 30106



Westlake Portfolio Management, LLC
P.O. Box 76809
Los Angeles, CA 90076
(844) 358-0655 from 8am to 8pm EST, Monday to Saturday
www.wpm servicing.com

To: ERIC ADAMS
1650 ANDERSON MILL ROAD, APT
14204
AUSTELL, GA 30106
Reference: 25693395

Westlake Portfolio Management ("WPM") is a debt collector. We are trying to collect a debt that you owe to U.S. AUTO FINANCE, INC. We will use any information you give us to help collect the debt.

Our information shows:

You had an account with U.S. AUTO FINANCE, INC with account number 910158090

As of 04/27/2023, you owed:	\$21,972.68
Between 04/27/2023, and today:	
You were charged this amount in interest:	+ \$270.81
You were charged this amount in fees:	+ \$0.00
You paid or were credited this amount toward the debt:	- \$0.00
Total amount of the debt now:	\$22,243.49

How can you dispute the debt?

- **Call or write to us by 06/30/2023, to dispute all or part of the debt.** If you do not, we will assume that our information is correct.
- **If you write to us by 06/30/2023, we must stop collection on any amount you dispute until we send you information that shows you owe the debt.** You may use the form below or write to us without the form. You may also include supporting documents. We accept disputes electronically at www.wpm servicing.com/contactus.

What else can you do?

- **Write to ask for the name and address of the original creditor, if different from the current creditor.** If you write by 06/30/2023, we must stop collection until we send you that information. You may use the form below or write to us without the form.
- **Go to www.cfpb.gov/debt-collection to learn more about your rights under federal law.** For instance, you have the right to stop or limit how we contact you.
- Contact us about your payment options.
- Póngase en contacto con nosotros para solicitar una copia de este formulario en español.

Notice: See reverse side for important information.

Mail this form to:
Westlake Portfolio Management, LLC
P.O. Box 76809
Los Angeles, CA 90076-0809

ERIC ADAMS
1650 ANDERSON MILL ROAD, APT 14204
AUSTELL, GA 30106

How do you want to respond?

Check all that apply:

- ☐ I want to dispute the debt because I think:
- ☐ This is not my debt.
 - ☐ The amount is wrong.
 - ☐ Other (please describe on reverse or attach additional information).
- ☐ I want you to send me the name and address of the original creditor.
- ☐ I enclosed this amount: \$

Make your check payable to **WPM**. Include the reference number 25693395

- ☐ Quiero este formulario en español.

Exhibit B1

Notice of Dispute

Eric Lee Adams Jr.

1650 Anderson Mill Rd Apt 14204

Austell, GA 30106

WESTLAKE PORTFOLIO MANAGEMENT, LLC

P.O. BOX 76809

Los Angeles, CA 90076

To whom it may concern,

I have received your communication regarding the alleged debt for the account Reference Number: 25693395. This notice is to serve as a dispute for the alleged debt in its entirety. I am hereby requesting the name and address of the original creditor(s), and verification the alleged debt. Be advised that "verification" is defined as "Confirmation of correctness, truth, or authenticity by affidavit, oath, or deposition." McNamara v. Powell, Sup., 52 N.Y.S.2d 515, 527

Best Regards,

Eric Lee Adams Jr

Exhibit B2

Debt Validation Letter

Eric Lee Adams Jr.

1650 Anderson Mill Rd Apt 14204

Austell, GA 30106

WESTLAKE PORTFOLIO MANAGEMENT, LLC

P.O. BOX 76809

Los Angeles, CA 90076

Reference Number: 25693395

To Whom it may concern,

It is not my intention to avoid settling any obligation that I lawfully owe, and this is not a refusal to do so. In order for arrangements to settle this account to be made, I request that WESTLAKE PORTFOLIO MANAGEMENT, LLC document, verify, and validate the following:

- (1). Who is the alleged original creditor?
- (2). Where did the money that funded the alleged loan come from?
- (3). What is a loan?
- (4). Were the Generally Accepted Accounting Principles followed as required by federal law and several Federal Reserve publications?
- (5). Was there a promissory note involved?
- (6). What happened to that promissory note?
- (7.) Can you provide the original unaltered promissory note for my inspection?

Exhibit 33

If you're unwilling to provide the original promissory note, then provide the location, date, and time to review the original. I also need you to provide all documentation that you relied upon to respond to this request. 15 days from the verifiable receipt of this request for validation of debt as evidenced on the original and unaltered promissory note, your silence will be deemed your confession that you have no such thing. Note that in your possession, the same shall be admissible in a court of law to prove the matter asserted.

Thank you for your attention to this matter.

Respectfully,

Eric

Exhibit B4

Eric Lee Adams Jr.

1650 Anderson Mill Rd Apt 14204

Austell, GA 30106

WESTLAKE PORTFOLIO MANAGEMENT, LLC

P.O. BOX 76809

Los Angeles, CA 90076

Cease and Desist

To Whomsoever it may concern,

WESTLAKE PORTFOLIO MANAGEMENT, LLC has communicated with me regarding an alleged debt reference number: 25693395. Consent was never given to WESTLAKE PORTFOLIO MANAGEMENT for them to communicate with me and yet I have received a communication via the mails, stating that I owe an alleged debt. No validation nor verification have been provided to this point. With that being said, I am hereby invoking my right under the Fair Debt Collection Practices Act to advise WESTLAKE PORTFOLIO MANAGEMENT, LLC to cease and desist communications regarding this alleged debt as well as collection efforts regarding the alleged debt. Communication is defined by congress as the conveying of information regarding an alleged debt directly or indirectly to any person through any medium. This includes social media, telephone calls, and reports to ANY and ALL consumer reporting agencies.

The only acceptable means of communication are through the mail and only to notify me that WESTLAKE PORTFOLIO MANAGEMENT, LLC intends to provide all the requested documentation validating and verifying that a debt is owed to them.

Be advised that that notice is complete upon receipt and WESTLAKE PORTFOLIO MANAGEMENT, LLC will be held civilly liable under the Fair Debt Collection Practices Act for failure to comply.

Thank you for your cooperation.

Exhibit B5

Eric Lee Adams Jr. [Agent/Beneficiary]



UNITED STATES
POSTAL SERVICE


Exhibit C

Date Produced: 07/24/2023

LETTERSTREAM:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 4298 0486 2176 58. Our records indicate that this item was delivered on 07/17/2023 at 07:53 a.m. in LOS ANGELES, CA 90010. The scanned image of the recipient information is provided below.

Signature of Recipient :



Maria Dixon

Address of Recipient :

4751 Wilshire Blvd #100

Los Angeles, CA 90010

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service



Exhibit B2

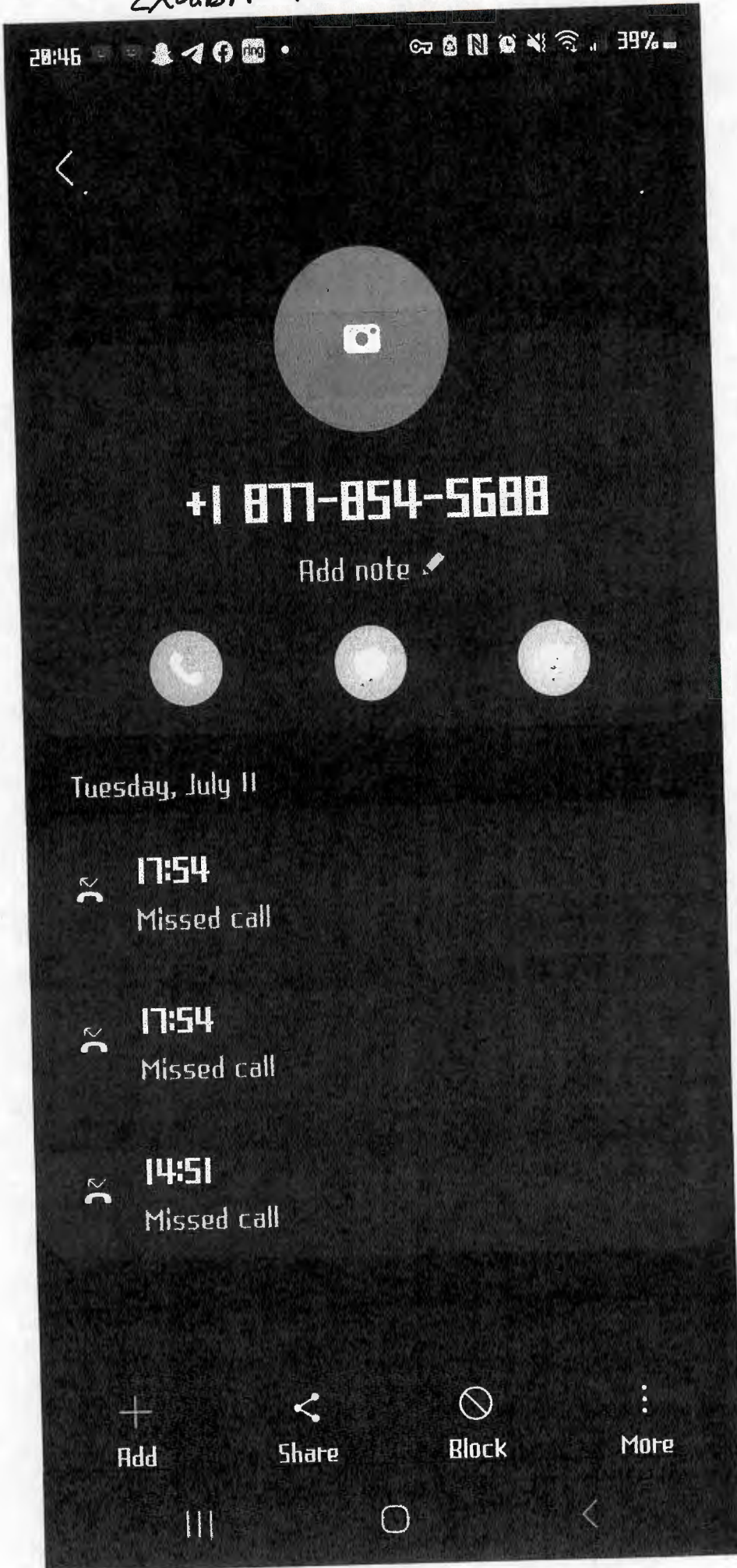
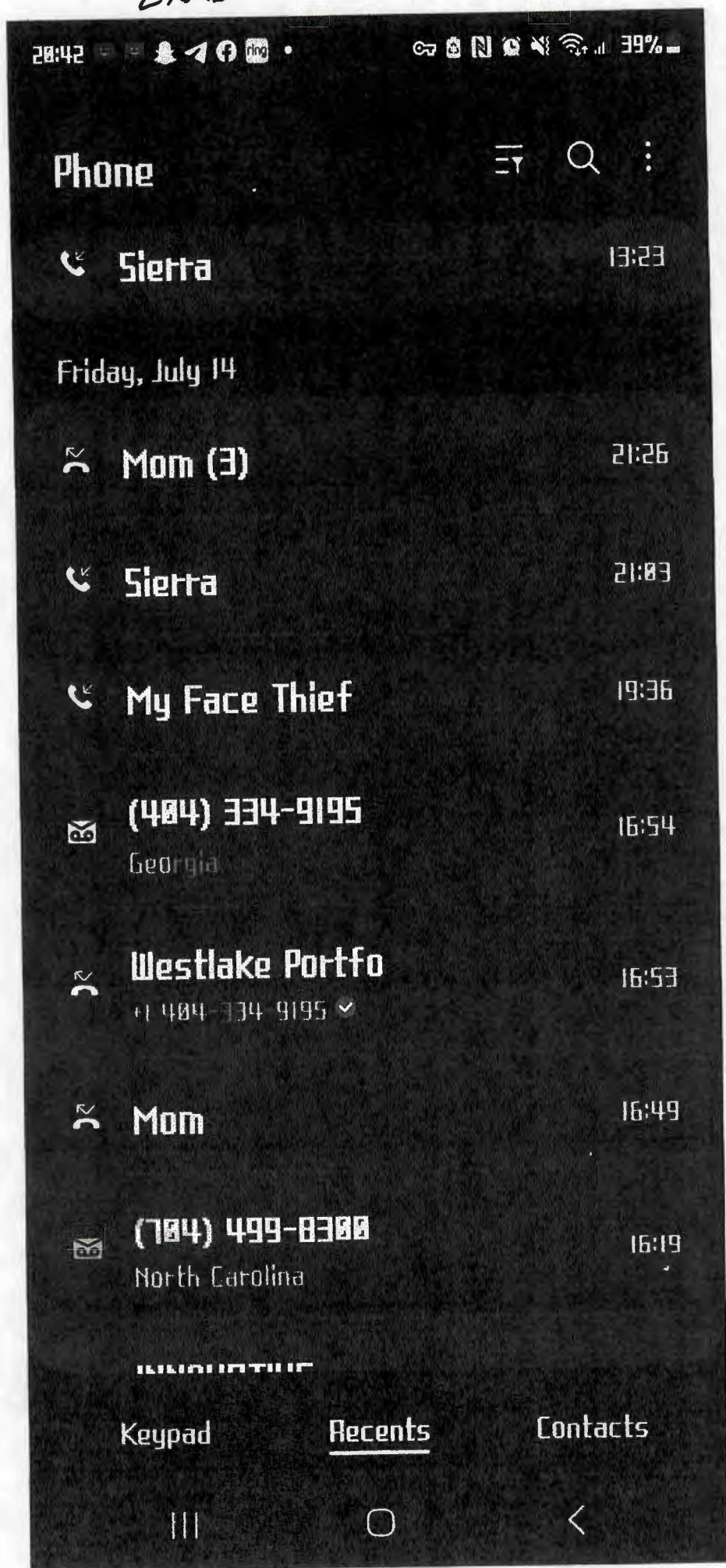


Exhibit D3



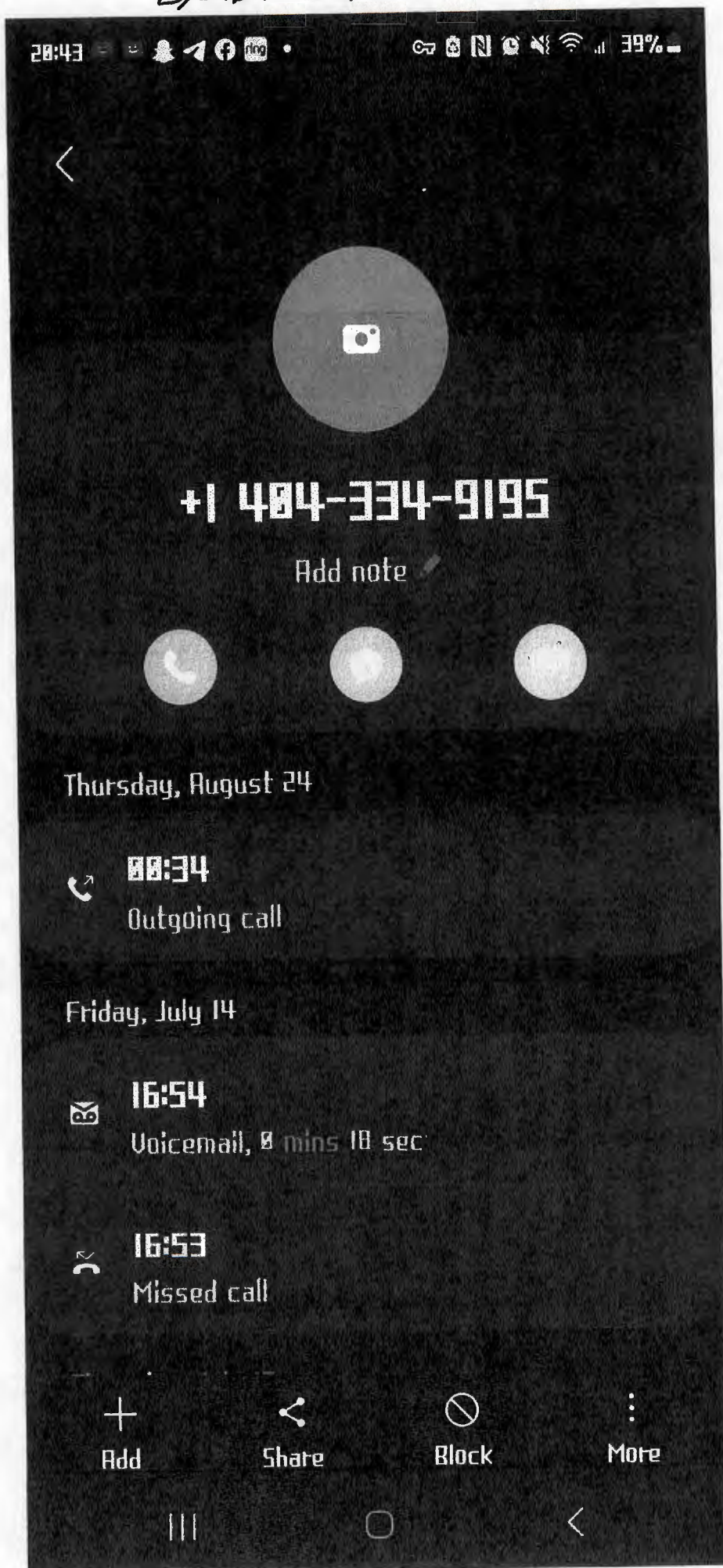


Exhibit DS

Screenshot_20230826_204342_Phone.jpg

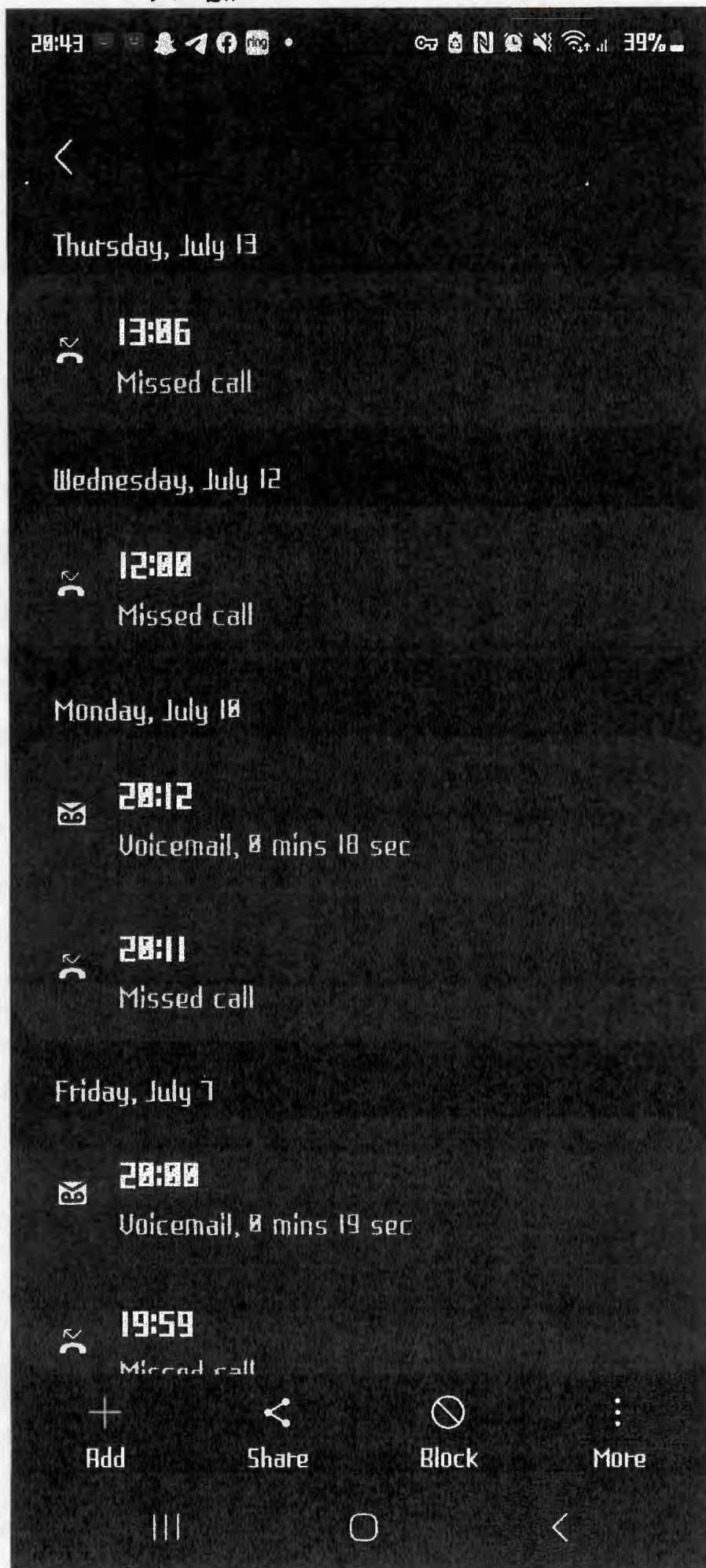
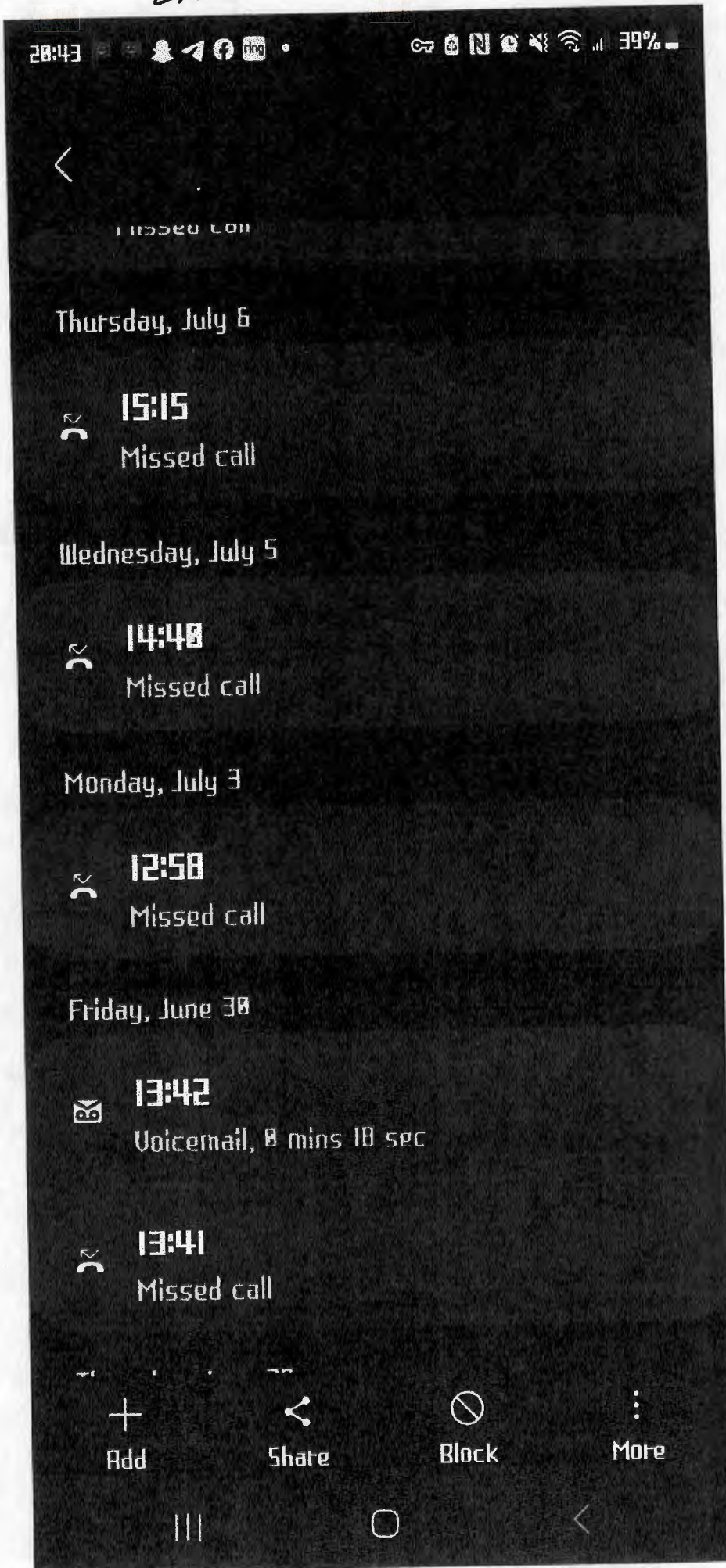
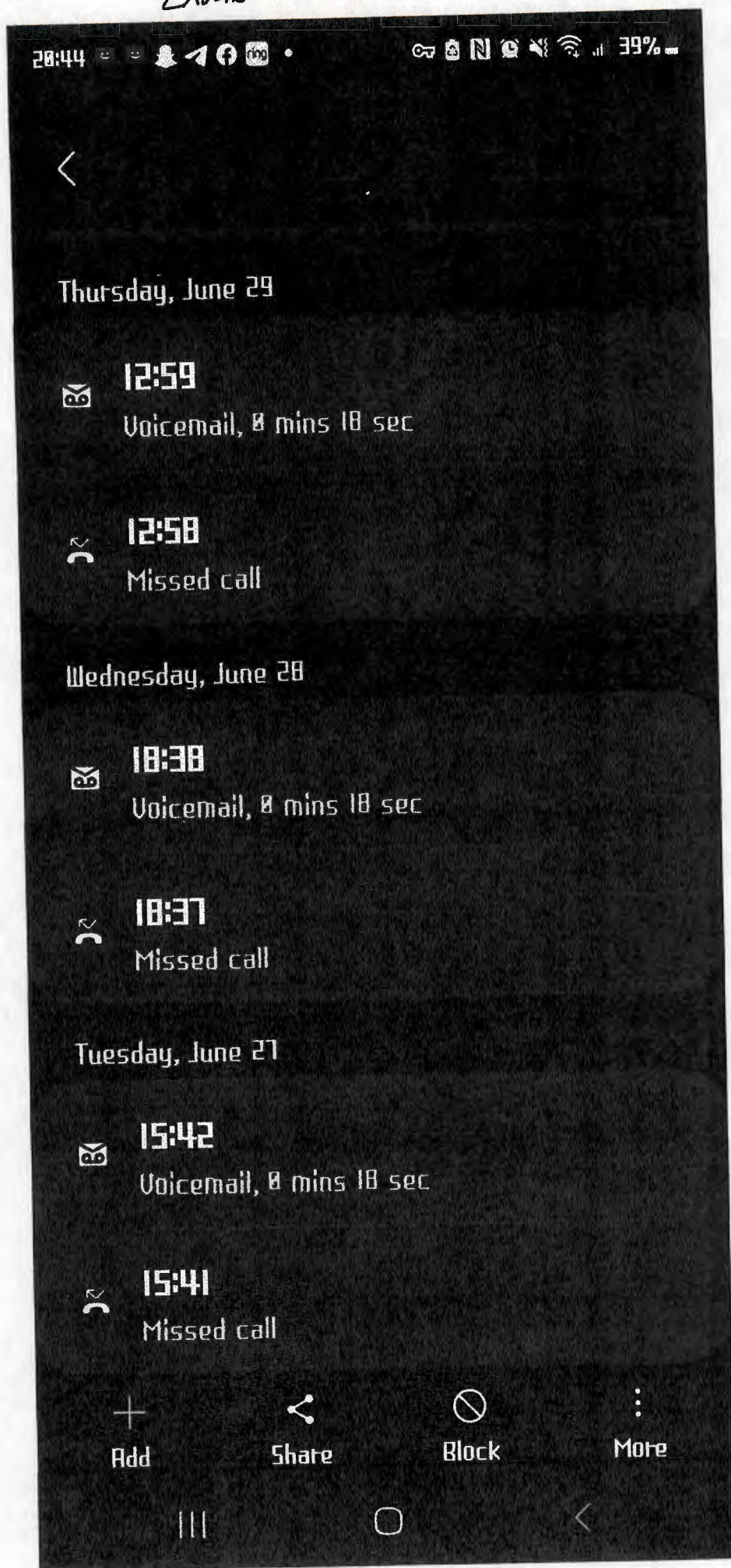


Exhibit 100





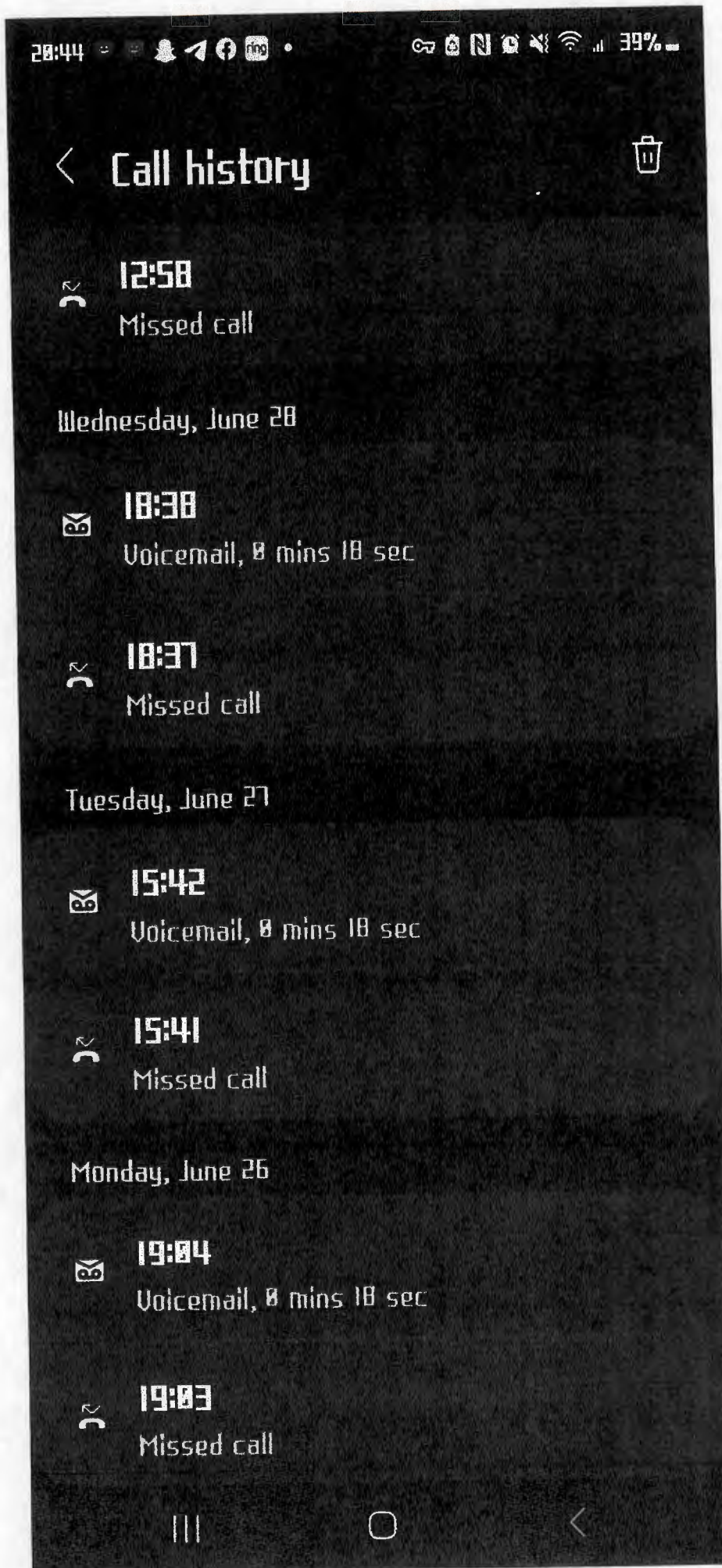


Exhibit B9

Screenshot_20230826_204036_phone.jpg

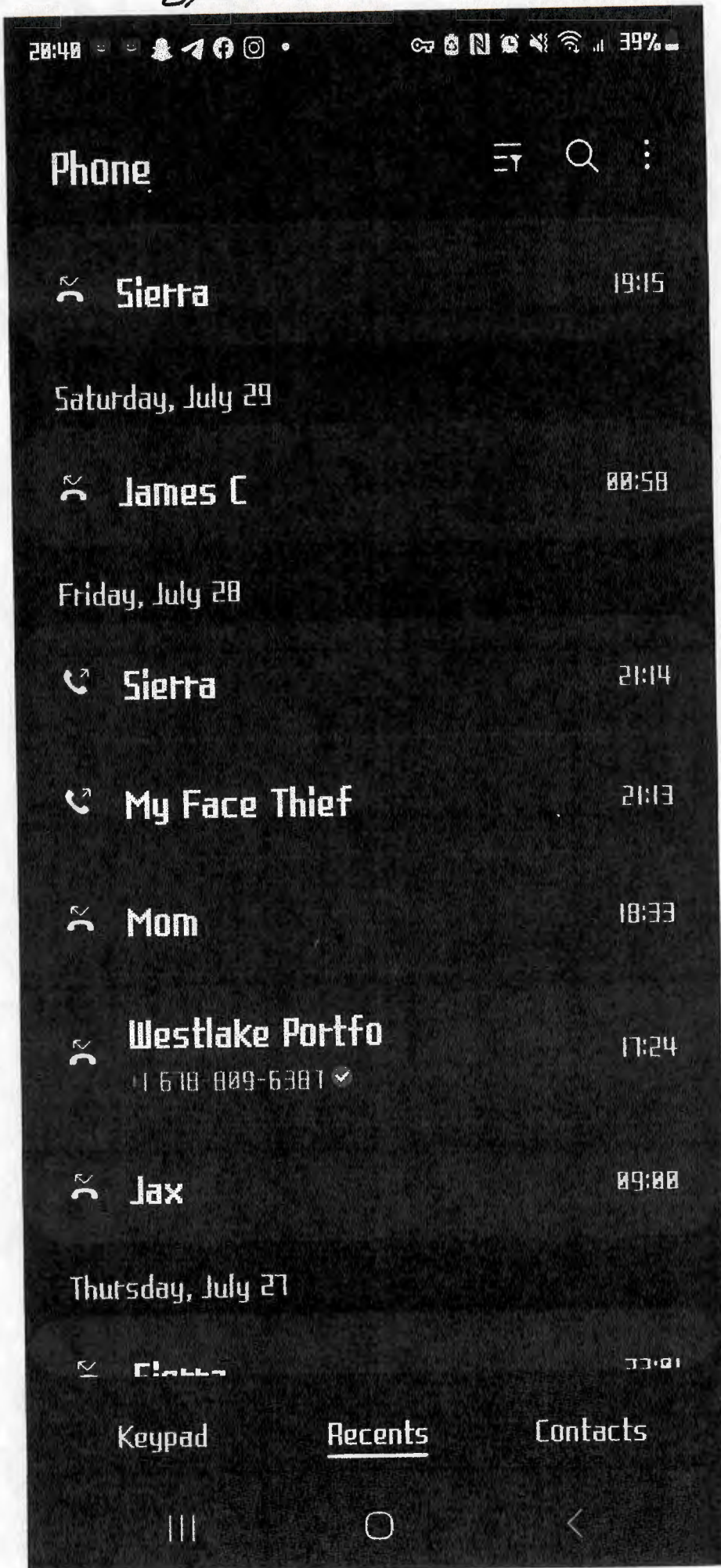
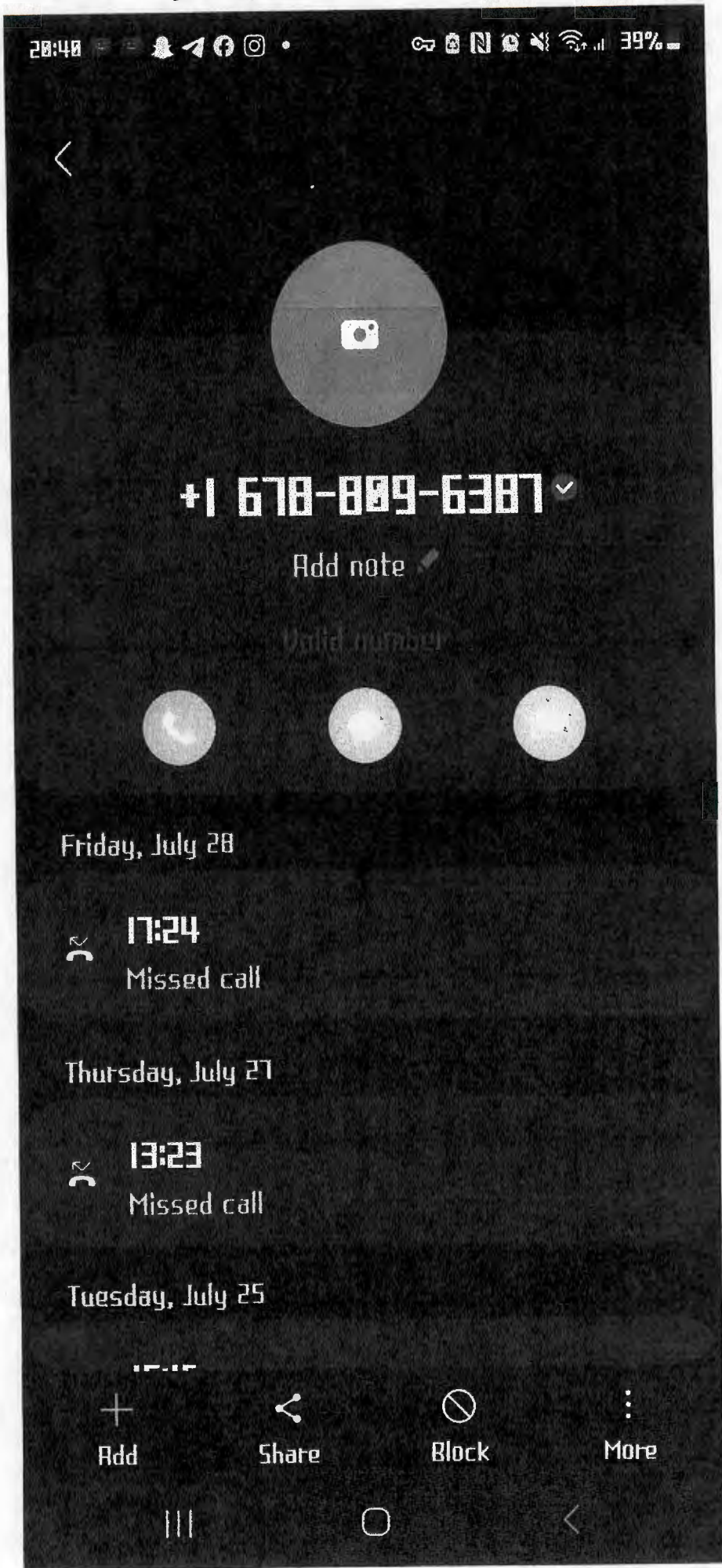
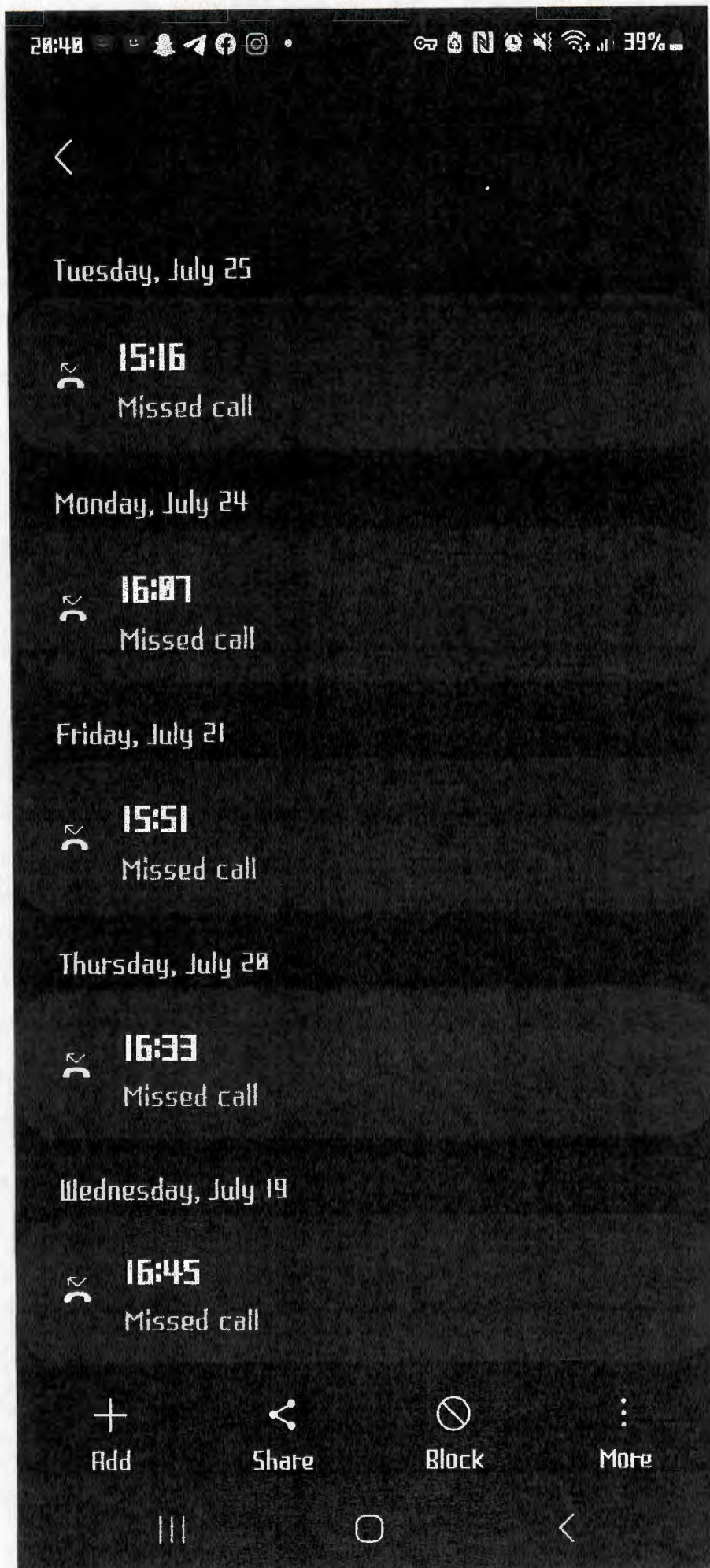
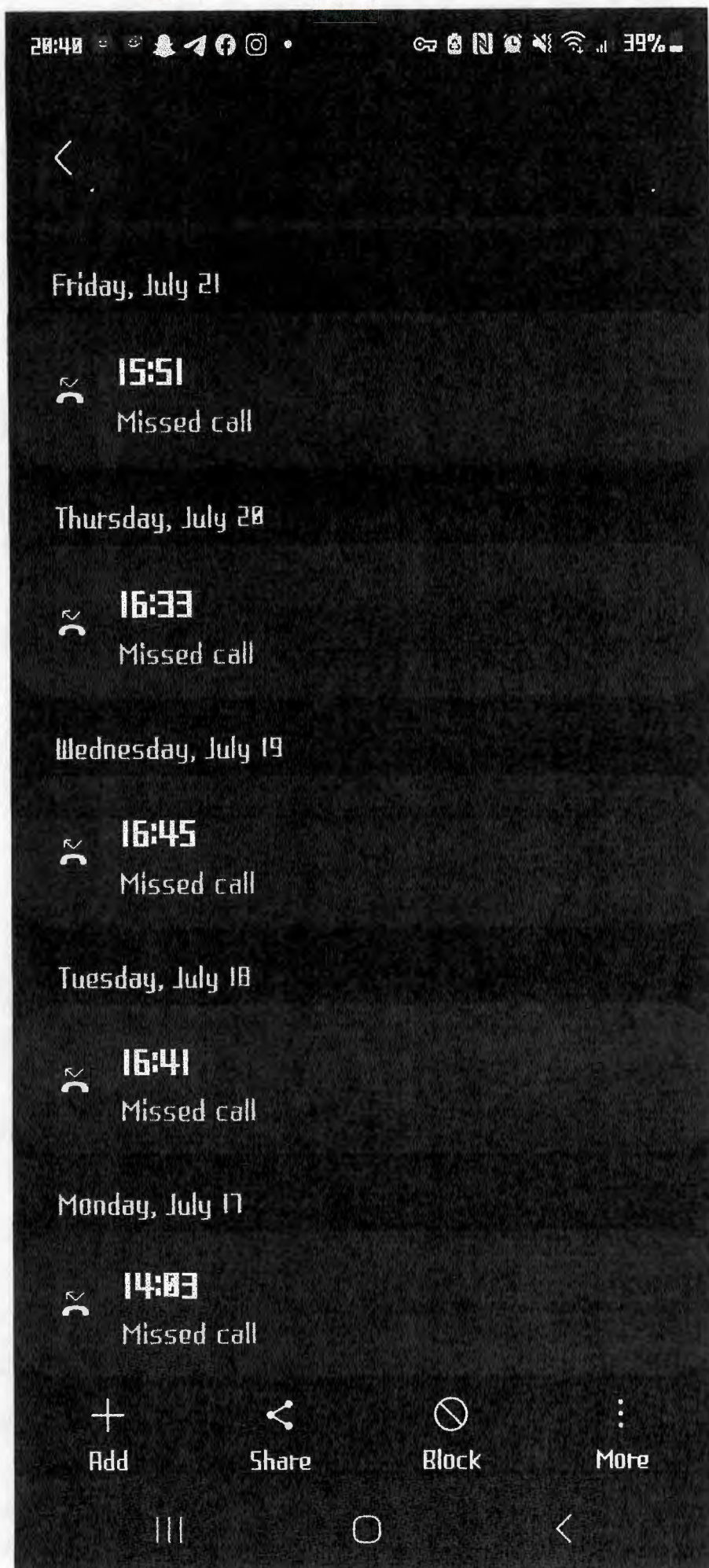


Exhibit 10

Screenshot_20230826_204046_Phone.jpg









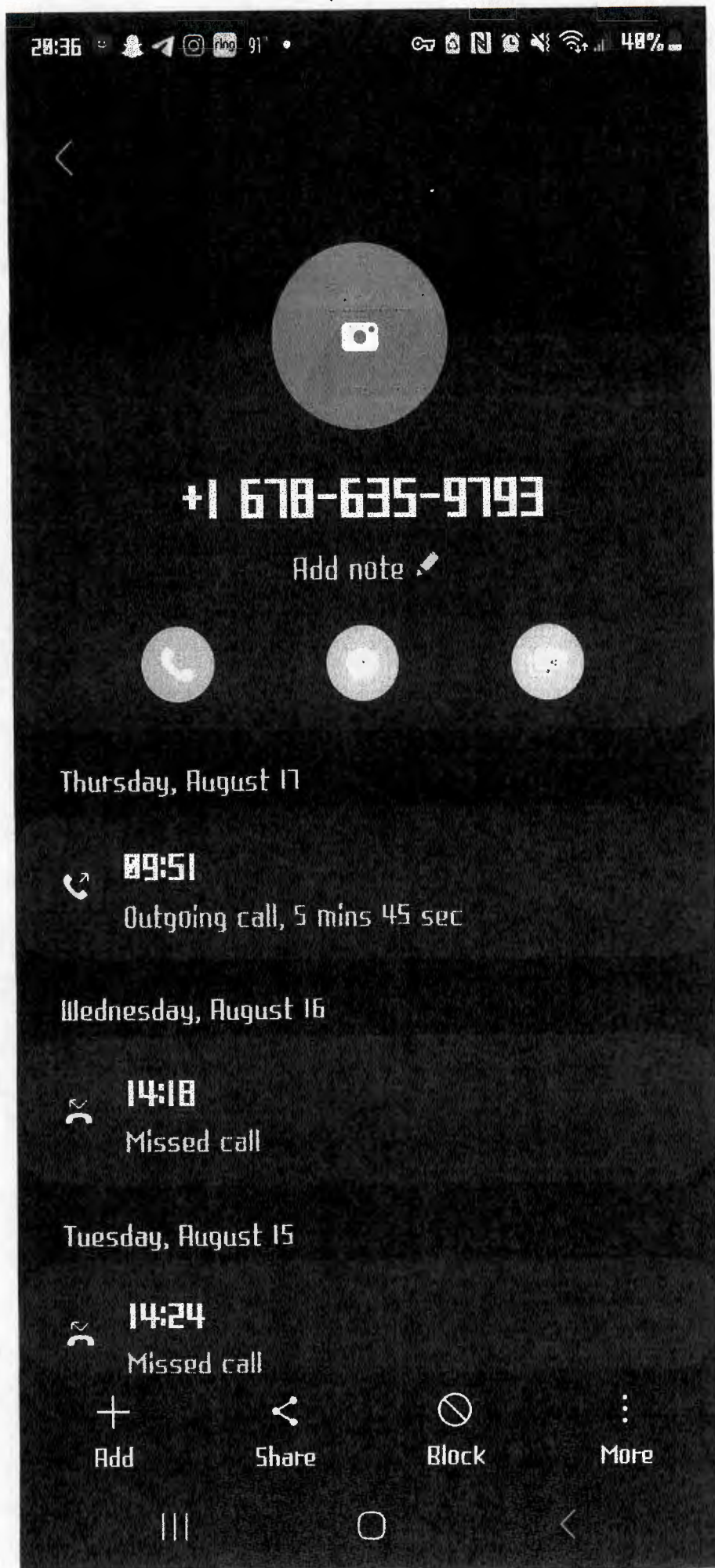


Exhibit 012

Screen Shot 2023-09-01 at 11:29 AM



Exhibit D17

< +17868337677 v

Welcome to Westlake!
Click <https://myaccount.wpm servicing.com/wpmWebsite/> to view your account information online. If you want to opt out of future text messages, reply STOP to unsubscribe.

16:54

Tuesday, July 25

Hello. Please contact Westlake Portfolio Management at (866) 736-6758 as soon as possible. If you would like to opt out of future text messages, reply STOP.

28:41



Exhibit E1

Affidavit of Fact

Notice to all, I am that I am, the consumer in fact, natural person, original creditor, lender, executor, administrator, holder in due course for any and all derivatives thereof for the surname/given name ADAMS, ERIC and I have been appointed and accept being executor both public and private for all matters proceeding, and I hereby claim that I will d/b/a ADAMS, ERIC and autograph as the agent, attorney in fact, so be it;

Whereas, I of age of majority, give this herein notice to all, I make solemn oath to the one and only most high of creation, whoever that may be, and I depose the following facts, so be it, now present:

Fact, the Fair Debt Collection Practices Act was intended to eliminate unfair and abusive collection practices which has been breached, so be it;

Fact, Affiant is aware that they are a consumer and a natural person in accordance with 15 U.S. Code 1692a(3), so be it;

Fact, Affiant is aware that WESTLAKE PORTFOLIO MANAGEMENT is a "debt collector" by legal definition. Pursuant to 15 U.S. Code 1692(a)(6), a "debt collector is any person who uses any instrumentality of interstate commerce, including the mails, in any business which the principal purpose is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be due another. See exhibit "A"

Fact, Affiant sent WESTLAKE PORTFOLIO MANAGEMENT a Cease and Desist regarding communications and attempts to collect the alleged debt, in accordance with 15 U.S. Code 1692c(c), which was received on 17 Jul 2023 which WESTLAKE PORTFOLIO MANAGEMENT ignored. See exhibits "B", "C1", "C2", "C3", and "C4"

Fact, pursuant to 15 U.S. Code 1692a(2) the term "communication" means the conveying of information regarding a debt directly or indirectly to any person through any medium, which includes, mail, email, publications, text, consumer reports, letters, phone calls, etcetera, so be it;

Fact, Affiant is aware that the term "verification" means confirmation of correctness, truth, or authenticity by affidavit, oath or deposition, and requested such verification, which WESTLAKE PORTFOLIO MANAGEMENT failed to provide. See exhibits "D1", "D2", "D3", and "D4"

I swear to all information provided herein, I do so under the penalty of perjury that the information I so affirm to be true, correct, and accurate to the best of my ability, so be it;

Exhibit E2

I do not accept this contract.

I do not consent to these proceedings.

I do require subrogation of the bond to settle the charge.

15 days from the verifiable receipt of this Affidavit of Fact stating the facts and presentment of supporting evidence of the facts, your silence will be deemed your confession that you have knowingly and willingly violated the law. Note that the same shall be admissible in a court of law to prove the matter asserted. An affidavit must be responded to by a competent fact witness, sworn to under the penalty of perjury. Be advised that an unrebutted affidavit stands as truth in commerce.

On 01 Aug 2023 ADAMS, ERIC, agent, d/b/a Eric Lee Adams Jr came before me today present as a flesh and blood living being (non-entity/non-debtor) under oath to the most high of creation only and provided the facts listed herein.

Eric Adams printed *Eric Adams*

Eric Adams signature *[Signature]*

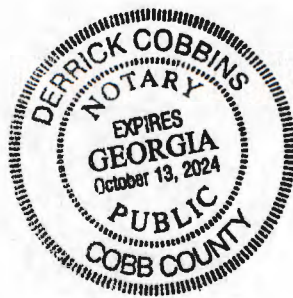
Sworn to and affirmed by and subscribed before me on the 1st day of Ag, year 2023.

Derrick Cobbins Notary Name

[Signature]

Notary Signature

Notary Seal:



Westlake Portfolio Management, LLC
P.O. Box 76809
Los Angeles, CA 90076
(844) 358-0655 from 8am to 8pm EST, Monday to Saturday
www.wpmservicing.com

To: ERIC ADAMS
1650 ANDERSON MILL ROAD, APT
14204
AUSTELL, GA 30106
Reference: 25693395

Westlake Portfolio Management ("WPM") is a debt collector. We are trying to collect a debt that you owe to U.S. AUTO FINANCE, INC. We will use any information you give us to help collect the debt.

Our information shows:

You had an account with U.S. AUTO FINANCE, INC with account number 910158090

As of 04/27/2023, you owed:	\$21,972.68
Between 04/27/2023, and today:	
You were charged this amount in interest:	+ \$270.81
You were charged this amount in fees:	+ \$0.00
You paid or were credited this amount toward the debt:	- \$0.00
Total amount of the debt now:	\$22,243.49

How can you dispute the debt?

- **Call or write to us by 06/30/2023, to dispute all or part of the debt.** If you do not, we will assume that our information is correct.
- **If you write to us by 06/30/2023, we must stop collection on any amount you dispute until we send you information that shows you owe the debt.** You may use the form below or write to us without the form. You may also include supporting documents. We accept disputes electronically at www.wpmservicing.com/contactus.

What else can you do?

- **Write to ask for the name and address of the original creditor, if different from the current creditor.** If you write by 06/30/2023, we must stop collection until we send you that information. You may use the form below or write to us without the form.
- **Go to www.cfpb.gov/debt-collection to learn more about your rights under federal law.** For instance, you have the right to stop or limit how we contact you.
- **Contact us about your payment options.**
- **Póngase en contacto con nosotros para solicitar una copia de este formulario en español.**

Notice: See reverse side for Important Information.

How do you want to respond?

Check all that apply:

- ☐ I want to dispute the debt because I think:
- ☐ This is not my debt.
 - ☐ The amount is wrong.
 - ☐ Other (please describe on reverse or attach additional information).
- ☐ I want you to send me the name and address of the original creditor.
- ☐ I enclosed this amount: \$

Make your check payable to **WPM**. Include the reference number 25693395

- ☐ Quiero este formulario en español.

Mail this form to:
Westlake Portfolio Management, LLC
P.O. Box 76809
Los Angeles, CA 90076-0809

ERIC ADAMS
1650 ANDERSON MILL ROAD, APT 14204
AUSTELL, GA 30106



**UNITED STATES
POSTAL SERVICE**

Exhibit B

Date Produced: 07/24/2023

LETTERSTREAM:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 4298 0486 2176 58. Our records indicate that this item was delivered on 07/17/2023 at 07:53 a.m. in LOS ANGELES, CA 90010. The scanned image of the recipient information is provided below.

Signature of Recipient :

Leanne Maria Piron

Address of Recipient :

*4751 Wilshire Blvd #100
Wilshire Financial*

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

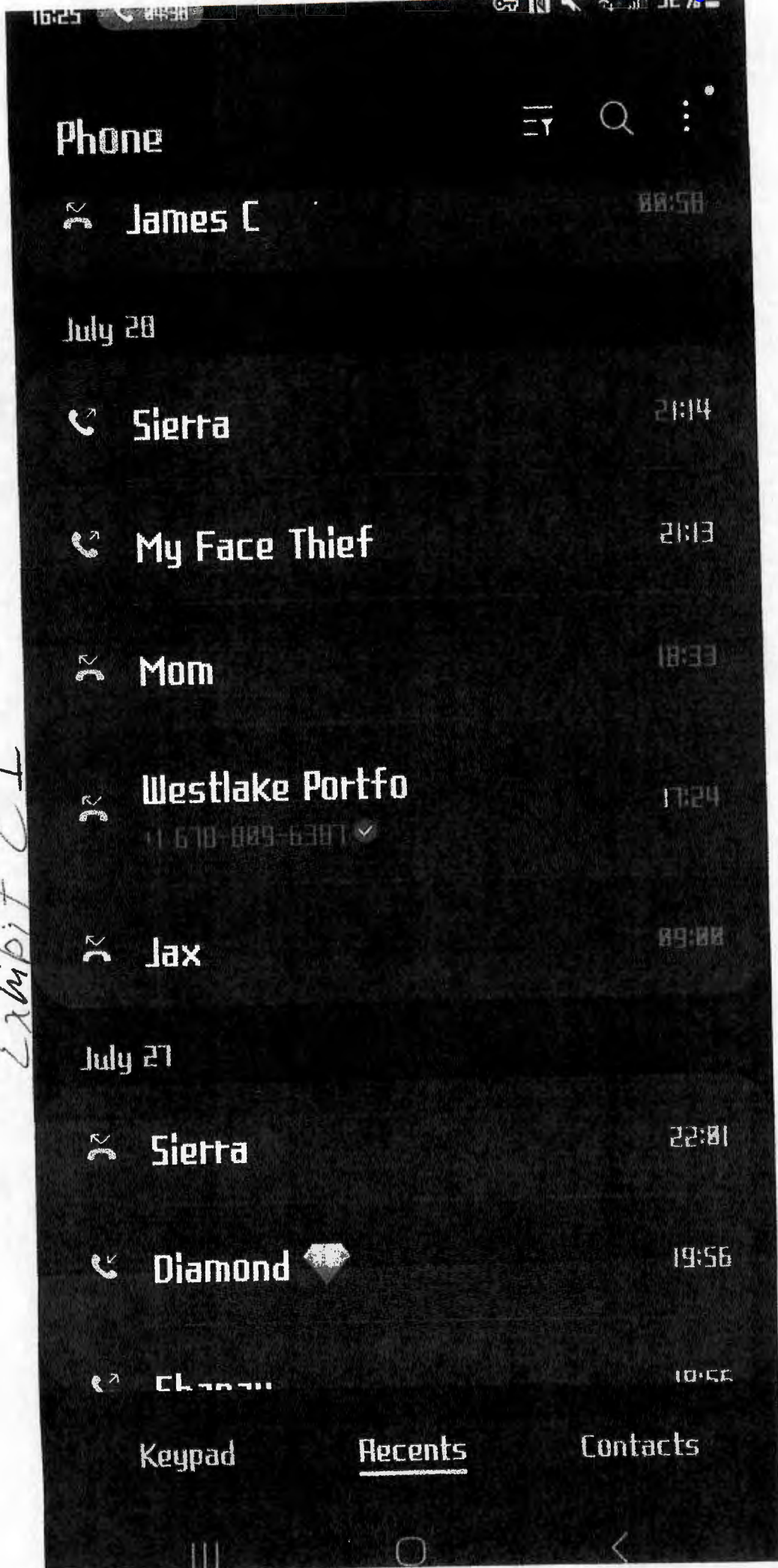


Exhibit C2

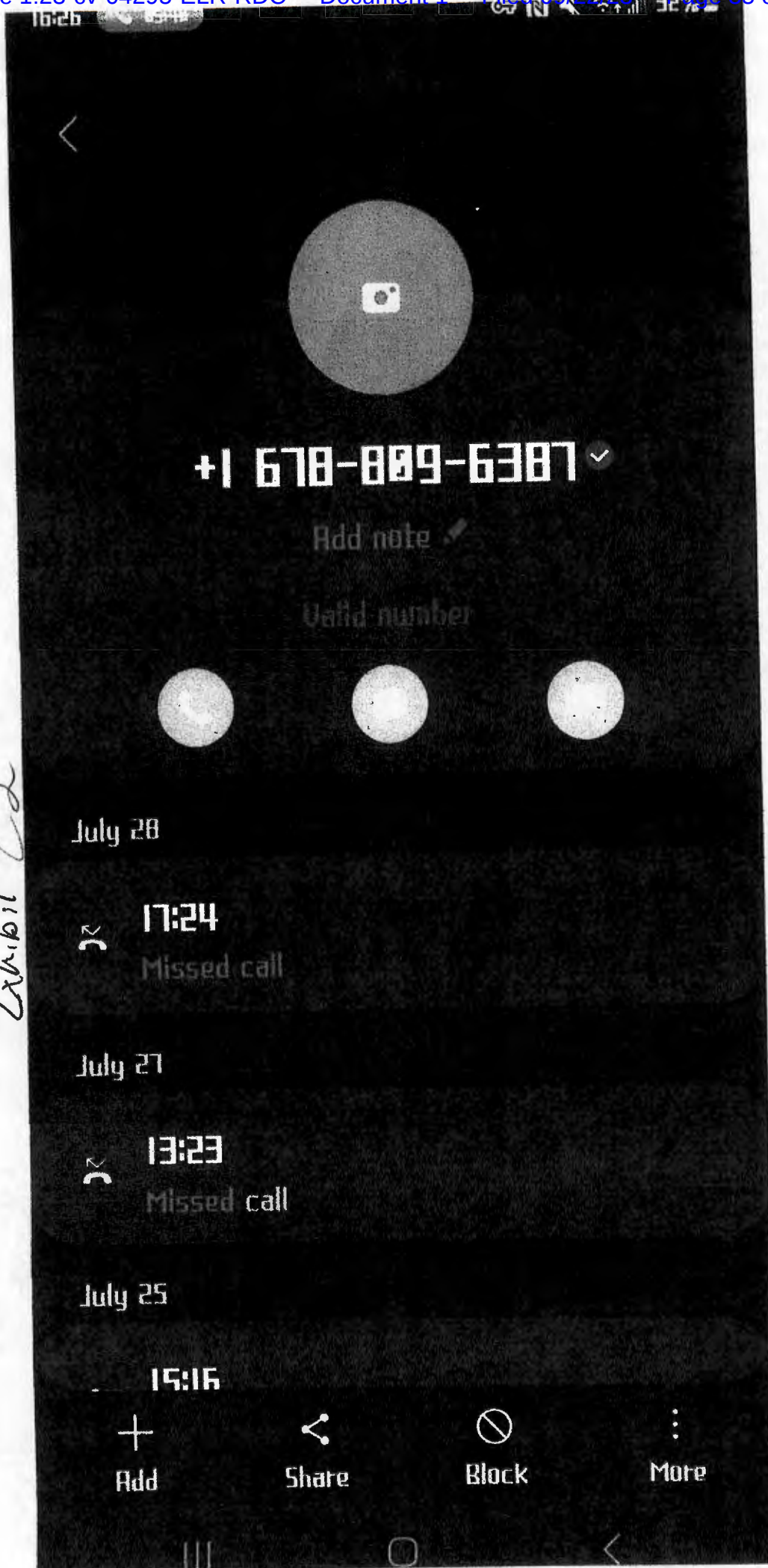


Exhibit C3

July 25



15:16

Missed call

July 24



16:07

Missed call

July 21



15:51

Missed call

July 20



16:33

Missed call

July 19



16:45

Missed call



Add



Share



Block



More

< +17868337677

Welcome to Westlake!
Click <https://myaccount.wpm servicing.com/wpmWebsite/> to view your account information online. If you want to opt out of future text messages, reply STOP to unsubscribe.

16:54

Tuesday, July 25

Hello. Please contact Westlake Portfolio Management at (866) 736-6758 as soon as possible. If you would like to opt out of future text messages, reply STOP.

28:41

Exhibit C4

Exhibit D1



July 26, 2023

Eric Adams
1650 Anderson Mill Rd Apt 14204
Austell, GA 30106

VIA U.S. MAIL ONLY

RE: Debt Validation

Dear Eric Adams:

We have received your correspondence wherein you requested a validation of your account with us. Enclosed please find a copy of your detailed payment history.

If you have any questions or concerns, please feel free to contact our Customer Service Department at (877) 854-5688, Monday through Friday 5:00 AM to 9:00 PM. Saturday and Sunday 5:00 AM to 2:00 PM. All hours are Pacific Standard Time.

Thank you,

Customer Service
Westlake Portfolio Management
(877) 854-5688
www.wpm servicing.com

Exhibit D2

California Residents: The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov. DFPI License Number pending.

For California Residents who's account at the time of this notice is 90 days or more past due and has not been charged off: You may request records showing the following: (1) that WPM has the right to seek collection of the debt; (2) the debt balance, including an explanation of any interest charges and additional fees; (3) the date the debt became delinquent or the date of the last payment; (4) the name of the creditor and the account number associated with the debt; (5) the name and last known address of the debtor as it appeared in the creditor's records prior to assignment of the debt; and (6) the names of all persons or entities other than the debt collector to which the debt has been assigned, if applicable. You may also request from us a copy of the contract or other document evidencing your agreement to the debt. A request for these records may be addressed to: WPM, P.O. Box 76809, Los Angeles, CA 90076-0809.

Colorado Residents: Colorado Location: 8690 Wolff Court, Suite 110, Westminster, CO 80031 Phone: (303) 309-3839 FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE [HTTPS://COAG.GOV/OFFICE-SECTIONS/CONSUMER-PROTECTION/CONSUMER-CREDIT-UNIT/COLLECTION-AGENCY-REGULATION/](https://coag.gov/office-sections/consumer-protection/consumer-credit-unit/collection-agency-regulation/). A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt.

Massachusetts Residents: NOTICE OF IMPORTANT RIGHTS: You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten days unless you provide written confirmation of the request postmarked or delivered within seven days of such request. You may terminate this request by writing to the debt collector.

Minnesota Residents: This collection agency is licensed by the Minnesota Department of Commerce, License Number: 40591213

Nevada Residents: If you pay or agree to pay the debt or any portion of the debt, the payment or agreement to pay may be construed as: (1) An acknowledgment of the debt; and (2) A waiver of any applicable statute of limitations set forth in NRS 11.190 that otherwise precludes the collection of the debt. If you do not understand or have questions concerning your legal rights or obligations relating to the debt, you should seek legal advice.

New York Residents: This communication can be requested in an alternative format such as large print or Braille upon request to phone number (844)358-0655. Debt collectors, in accordance with the Fair Debt Collection Practices act, 15 USC §1692 *et seq.*, are prohibited from engaging in abusive, deceptive, and unfair debt collection efforts, including but not limited to: (i) the use or threat of violence; (ii) the use of obscene or profane language; and (iii) repeated phone calls made with the intent to annoy, abuse, or harass. If a creditor or debt collector receives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt: 1. Supplemental security income; 2. Social security; 3. Public assistance (welfare); 4. Spousal support, maintenance (alimony) or child support; 5. Unemployment benefits; 6. Disability assistance (welfare); 7. Workers' compensation benefits; 8. Public or private pensions; 9. Veterans' benefits; 10. Federal student loans, federal student grants, and federal works study funds; and 11. Ninety percent of your wages or salary earned in the last sixty days.

New York City Residents: This collection agency is licensed by the New York Department of Consumer Affairs, License Number: 2077840-DCA

North Carolina Residents: This collection agency is licensed by the North Carolina Department of Insurance, Permit Number: 113582

Tennessee Residents: This collection agency is licensed by the Tennessee Collection Service Board of the Department of Commerce and Insurance.

Utah Residents: As required by Utah law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations.

If you have filed for bankruptcy, or have been discharged in bankruptcy, this letter is for informational purposes only and is not intended as an attempt to collect a debt.

Exhibit D3

The resource of this report item is not reachable.

Payment History

CUSTOMER INFORMATION

Account: 25693395 GA,SI,WPM
BI WEEKLYAddress1: 1650 ANDERSON
MILL ROAD,

Home Phone: 9999999999

Dealer: WPM_USAUTO -U.S.
AUTO FINANCE, INC

Address2: APT 14204

Customer: ADAMS, ERIC

City State Zip: AUSTELL, GA 30106

ACCOUNT INFORMATION

Contract Dt: 1/7/23

Current Bal: 21,960.24

Last Pmt Dt: 4/27/23

Active Dt: 1/7/23

Late Chg Bal: 36.69

Next Due Dt: 6/24/23

Term: 143

NSF Bal: 0.00

First Due Dt: 2/18/23

Paid Term: 6

Other Bal: 0.00

Rate: 18

Opening Bal: 22,257.87

Total Bal: 22,267.74

APR: 18

ACCOUNT DETAIL

Post Dt	Txn Dt	Description	Amount	Mode	Reason	Reference	Balance Amt
5/21/23	5/19/23	ADV / PRIN	0.00			PRIN BALANCE AS OF 05212023	21,960.24
5/21/23	5/21/23	EXTENSION OVERRIDE	0.00	NONE		UNDEFINED	21,960.24
5/21/23	5/21/23	EXTENSION FEE	0.00		NONE INTERNAL		21,960.24
5/21/23	5/21/23	INTEREST ACCRUAL	21.72		NONE INTERNAL		21,960.24
5/21/23	5/21/23	ACCOUNT - ACCRUAL STOP	0.00	NONE		UNDEFINED	21,960.24
7/2/23	7/2/23	INTEREST ACCRUAL	0.00		NONE INTERNAL		21,960.24
7/2/23	7/2/23	ACCOUNT - ACCRUAL START	0.00	NONE		UNDEFINED	21,960.24
7/5/23	7/5/23	LATE CHARGE	11.81		NONE INTERNAL		21,960.24
7/8/23	7/8/23	BILL/DUE DATE	248.76		NONE INTERNAL		21,960.24
7/8/23	7/8/23	INSURANCE EXPIRED	0.00		NONE INTERNAL		21,960.24
7/19/23	7/19/23	LATE CHARGE	12.44		NONE INTERNAL		21,960.24

Exhibit D4

Post Dt	Txn Dt	Description	Amount	Mode	Reason	Reference	Balance Amt
7/22/23	7/22/23	BILL/DUE DATE	248.76		NONE INTERNAL		21,960.24



**UNITED STATES
POSTAL SERVICE**

Date Produced: 08/14/2023

LETTERSTREAM:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 4298 0486 8437 10. Our records indicate that this item was delivered on 08/07/2023 at 07:45 a.m. in LOS ANGELES, CA 90075. The scanned image of the recipient information is provided below.

Signature of Recipient :
(Authorized Agent)

A handwritten signature in black ink, appearing to read "Eric H. Davis", written over a series of horizontal lines.

Address of Recipient :

A handwritten address in black ink, "4751 Wilshire Blvd #100", written over a series of horizontal lines.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service



Westlake Portfolio Management
P.O. Box 76809
Los Angeles, CA 90076-0809

Exhibit 71

07/30/2023



Account No.: 25693395



0010178-0016191 80105 001 ----- 555123

ERIC ADAMS
1650 ANDERSON MILL ROAD,, APT 14204
AUSTELL, GA 30106

Dear ERIC ADAMS,

Your account is in serious default. Because of the default, we have begun a review of your account to determine what further collection efforts are required. Those actions may include steps to protect our interest in the secured vehicle, up to and including repossession, according to the terms of your contract.

It is important that you contact us as soon as possible at the telephone number below. A Customer Service Representative will explain your obligations in this matter and provide you with options to cure this default and bring your account current.

You can use the courtesy coupon at the bottom of this notice to mail your payment. The following payment methods are also available to you:

- MoneyGram wire transfer: (800) MONEYGRAM (Code: 17060)
- paynearme.com/WestlakePortfolio

Please call us to make arrangements for payment and resolve this matter.

Please see the page(s) that follow for other important information.

Sincerely,

Westlake Portfolio Management
1-877-854-5688

This is an attempt by a debt collector to collect a debt and any information obtained will be used for that purpose. If you have filed for bankruptcy, or have been discharged in bankruptcy, this letter is for information purposes only and is not intended as an attempt to collect a debt.

Please detach the section below and return it with your payment

ERIC ADAMS
1650 ANDERSON MILL ROAD,, APT 14204
AUSTELL, GA 30106

AMOUNT DUE:	\$733.80
LATE CHARGES	\$36.69
DUE:	\$0.00
OTHER CHARGES:	
BALANCE DUE:	\$22,571.80

WESTLAKE PORTFOLIO MANAGEMENT
P.O. Box 76809
Los Angeles, CA 90076-0809

MATURITY DATE: 09/09/2028
ACCOUNT: 25693395
AMOUNT
ENCLOSED \$



*Exhibit 72***Important information about your debt.**

We are required under state law to notify consumers of the following information. This list does not contain a complete list of rights that consumers have under state and federal law.

California Residents:

The State Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov. Nonprofit credit counseling services may be available in the area. State and federal law require debt collectors to treat you fairly and prohibit debt collectors from making false statements or threats of violence, using obscene or profane language, and making improper communications with third parties, including your employer.

DFPI License Number pending.

Colorado Residents:**Colorado Location:**

8690 Wolff Court, Suite 110,
Westminster, CO 80031
(303) 920-4763

Massachusetts Residents: NOTICE OF IMPORTANT RIGHTS:

You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten days unless you provide written confirmation of the request postmarked or delivered within seven days of such request. You may terminate this request by writing to the debt collector.

Minnesota Residents:

This collection agency is licensed by the Minnesota Department of Commerce, License Number: 40591213

New York City Residents:

This collection agency is licensed by the New York Department of Consumer Affairs, License Number: 2077840-DCA

North Carolina Residents:

This collection agency is licensed by the North Carolina Department of Insurance, Permit Number: 113582

Tennessee Residents:

This collection agency is licensed by the Tennessee Collection Service Board of the Department of Commerce and Insurance.

Texas Residents:

Finance charges will continue to accrue on the unpaid balance at the contract rate. By deferring one or more installments, you will pay more finance charges than originally disclosed.

Utah Residents:

As required by Utah law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations.





WESTLAKE PORTFOLIO MANAGEMENT, LLC
PO Box 76809
Los Angeles, CA 90076-0809

Name and address of Secured Party: U.S. AUTO FINANCE, INC, 202 BUFORD DR, LAWRENCEVILLE, GA 30046

ERIC ADAMS
1650 ANDERSON MILL ROAD, APT 14204
AUSTELL, GA 30106

Date of Notice: **08/20/2023**

NOTICE OF OUR PLAN TO SELL PROPERTY

Subject: **Motor Vehicle Conditional Contract of Sale or Security Agreement** Account: **25693395**

Description of Motor Vehicle ("Vehicle")			
Year 2018	Make Kia	Model Forte	VIN 3KPFL4A79JE175120

Name and address of each person (debtor) liable on the Contract:

ERIC ADAMS
1650 ANDERSON MILL
ROAD, APT 14204
AUSTELL, GA 30106

We have your Vehicle because you broke promises in our agreement. We intend to dispose of the vehicle as explained in this Notice, subject to your right to redeem (get back) the Vehicle as described in this Notice. You have a right to demand a public sale of the Vehicle. You must notify us in writing at our address above by registered or certified mail within 10 days of the date of this Notice.

☒ Private Sale

We will sell the vehicle at private sale sometime after 8:00 AM on **09/05/2023**. A sale could include a lease or license.

The money that we get from the sale (after paying our costs) will reduce the amount you owe. If we get less money than you owe, you will still owe us the difference, except as limited by law. If we get more money than you owe, you will get the extra money, unless we must pay it to someone else.

You can redeem the Vehicle (get it back) at any time before we sell it by paying us the total outstanding balance (not just the past due payments) including our expenses. To learn the exact amount you must pay to redeem the Vehicle, call us at the telephone number shown at the top of this Notice. If you want us to explain to you in writing how we have figured the amount that you owe us, you may call us at the



Exhibit G2

telephone number shown at the top of this Notice, or you may write to us at the address shown at the top of this Notice and request a written explanation.

If you need more information about the sale of the Vehicle, call us at the telephone number shown at the top of this Notice or write to us at the address shown at the top of this Notice. You have the right to demand a public sale of the Vehicle.

We are sending this Notice to each of the people who owe money under your agreement, as shown at the top of this Notice, or people who have an interest in the vehicle and who are not shown at the top of this Notice.

WRITTEN ACCOUNTING

We will provide you with a written accounting following sale of the Vehicle. If there is a surplus, it will be paid to you within 45 days of the date of sale unless we are required by law to pay it to someone else. You may request another written accounting from the person whose name and address are shown at the top of this Notice within one year of date of the sale by delivering to us or mailing to us your written request by first class mail, postage prepaid, or certified mail, return receipt requested.

NOTICE. YOU MAY BE SUBJECT TO SUIT AND LIABILITY IF THE AMOUNT OBTAINED UPON DISPOSITION OF THE VEHICLE IS INSUFFICIENT TO PAY THE CONTRACT BALANCE AND ANY OTHER AMOUNTS DUE.

Please note that while we are continuing the repossession process, you still have the right to request validation of your account and the name of your original creditor, as described in the initial communication we sent you. You have those rights for a full thirty (30) days from the time you receive that letter. Please see the letter we sent for a more complete description of your rights or please call us at (877) 854-5688 and ask us about this, and we'll describe these rights to you.

This is an attempt by a debt collector to collect a debt and any information obtained will be used for that purpose. If you have filed for bankruptcy, or have been discharged in bankruptcy, this letter is for information purposes only and is not intended as an attempt to collect a debt.





Eric Adams <ericadams452@gmail.com>

*Exhibit H***Payment Confirmation**

2 messages

wpmcustomerservice@wpmservicing.com <wpmcustomerservice@wpmservicing.com>

Thu, Aug 31, 2023 at
9:27 AM

Reply-To: wpmcustomerservice@wpmservicing.com

To: ericadams452@gmail.com

Thank you for your recent payment(s) request. This is to confirm your authorization for an electronic debit from your funding account payable to Westlake Portfolio Management on Aug 31, 2023 for the following account(s) that total \$1,722.89.

Account Number: ****3395

Confirmation Number: 1054691655

Effective Date: Aug 31, 2023

Payment Amount: \$1,717.89

ACI Payments, Inc. Processing Fee: \$5.00

Your payment will be processed on the effective date listed above or sooner. In the event that the electronic payment to your account is return unpaid, an additional return item fee of up to \$30.00 each payment will be reflected on your next billing statement and due the following bill cycle due date, or sooner, upon our request.

If you have any questions, concerns or require clarification regarding this correspondence, please contact customer service, toll free at 877-854-5688. Our business hours are Monday to Friday, from 5am to 6pm, Saturday from 6am to 10am Pacific Standard Time.

ericadams452 <ericadams452@gmail.com>

Fri, Sep 1, 2023 at 11:55 PM

To: ericadams452@gmail.com

Sent via the Samsung Galaxy S23 Ultra 5G, an AT&T 5G smartphone

[Quoted text hidden]